

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRYSTAL M. WEAVER,

Defendant.

Case No. CR05-241L

ORDER CONTINUING TRIAL DATE

THIS MATTER having come before the Court on the joint motion of the parties to continue the trial date in this proceeding, and the Court having reviewed the motion, the representations of counsel, the stipulation supplementing the motion, and the balance of the records and files herein, the Court now finds and rules as follows:

On June 22, 2005, defendant Crystal M. Weaver was charged in a two-count Indictment with Mail Theft and Possession of Stolen Mail, in violation of 18 U.S.C. §§ 1708 and 2. She was arraigned on the charges on July 7, 2005. Trial was scheduled for August 29, 2005, and pretrial motions were due on July 28, 2005.

On July 28, 2005, the parties filed a Stipulated Motion to Extend Due Date for Pretrial Motions from July 28, 2005, to August 11, 2005. That motion was granted on July 29, 2005.

The United States has received evidence that it believes supports additional charges against Ms. Weaver involving similar conduct to that alleged here. The filing of new charges in

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1 a superseding indictment would require additional discovery and necessitate additional time for
2 defense counsel to adequately prepare for trial. Accordingly, the parties request that the trial
3 date be continued in order to allow defense counsel additional time to review the potential new
4 charges and related discovery material.

5 Defendant has filed a Speedy Trial Waiver in which she has agreed to waive her right to a
6 speedy trial under the United States Constitution and Federal statutes through September 19,
7 2005. No previous requests to continue the trial date in this proceeding have been filed.


8 Therefore, it appearing to the Court that the failure to grant a trial continuance would
9 effectively deny defense counsel the reasonable time necessary for effective preparation, taking
10 into account the exercise of due diligence, and it further appearing to the Court that the ends of
11 justice served by granting the requested continuance outweigh the interest of the public and the
12 defendant in a speedy trial,

13 IT IS HEREBY ORDERED that the joint motion of the parties for a continuance of the
14 trial date is GRANTED.

15 IT IS FURTHER ORDERED that the trial date shall be continued from Monday, August
16 29, 2005, to Monday, September 19, 2005.

17 IT IS FURTHER ORDERED that the period of delay from August 29, 2005, until
18 September 19, 2005, is excludable time pursuant to 18 U.S.C. § 3161(h)(8)(A), for the purpose
19 of computing the time limitations imposed by the Speedy Trial Act, 18 U.S.C. §§ 3161-3174.

20
21 DATED this 29th day of August, 2005.

22
23 
24 Robert S. Lasnik
25 United States District Judge
26

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